

Public Chapter 434

HOUSE BILL NO. 205

By Representatives Davidson, Davis, Winningham

Substituted for: Senate Bill No. 23

By Senator Womack

AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

WHEREAS, under the provisions of Tennessee Code Annotated, Section 49-2-301(h)(3), the option of county commissions to continue to retain elected Superintendents expired September 1, 1996, and all counties are now to have appointed "Directors of Schools" under the provisions of Tennessee Code Annotated, Section 49-2-203(a)(15)(A); now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-1-211, is amended by deleting subdivision (6) of subsection (a) and substituting instead the following:

(6) A comparison of expenditures by category and program for each school system with statewide averages.

SECTION 2. Tennessee Code Annotated, Section 49-1-602, is amended by inserting in subsection (a) before the words "on probation" the words "on notice for one year or"; by deleting from subsection (b) the word "probationary"; and by deleting from subsection (c) the first sentence and inserting instead the following sentence:

During the year on notice, the Department of Education and the office of education accountability established in Tennessee Code Annotated, Section 4-3-308, will jointly study the school or system.

Tennessee Code Annotated, Section 49-1-602, is further amended by inserting after the end of the second sentence of subsection (c) the words and punctuation "The commissioner may require the school or school system to incorporate the recommendations into its school improvement plan."; by deleting from the third sentence of subsection (c) the words "in the first year" and inserting instead the words "by the end of the first year on notice"; by deleting from subsection (c) the words "will remain" and inserting instead the words "may be placed"; and by adding to subsection (c) after the words and punctuation "on probation" the words and punctuation "While a school or system is on probation, the commissioner may restrict the discretionary powers of the Director of Schools or of the Local Board of Education to ensure implementation of the recommendations from the joint study."

SECTION 3. Tennessee Code Annotated, Section 49-1-608, is amended by deleting the dates "1998-1999" and substituting the dates "1999-2000".

SECTION 4. Tennessee Code Annotated, Section 49-6-3050, is amended in subdivision (b)(5)(A) by deleting the word, figure, and comma “two (2),”.

SECTION 5. Tennessee Code Annotated, Section 49-6-3050(b)(5)(B), is amended by deleting the words and figure “grades two (2) and” and by substituting the word “grade.”

SECTION 6. Tennessee Code Annotated, Title 49, Chapter 6, Part 60, is amended by adding the following new sections:

Section 49-6-6002. No state mandated test shall be conducted earlier than the third (3rd) grade, except that when the first and second grade tests provided for in Section 7 are available, these tests shall be conducted.

Section 49-6-6003. A comprehensive writing assessment shall be conducted in grades four (4), seven (7), and eleven (11).

SECTION 7. The Commissioner of Education and the State Board of Education shall recommend to the Joint Oversight Committee on Education by January 1, 1998, a diagnostic method for evaluating reading and other basic skills in the first and second grades.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.